IN UP: CETITION FOR SPECIAL EXCEPTION * BEFORE THE SE/S Pulaski Highway, Corner SW/S Hanzlick Avenue (8231 Pulaski Highway) 15th Election District 7th Councilmanic District

* DEPUTY ZONING COMMISSIONER * OF BALTIMORE COUNTY * Case No. 99-531-X

John F. Fischer Petitioner * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Fetitioner nerein reques a special exception to permit a car warh on the subject property in accordance with Petitioner's Exhibit 1.

The Petitioner appeared, testified and was represented by Paul J. Realey, Esquire. Also appearing on behalf of the Petition was Eugene F. Raphel, Registered Professional Land Surveyor. There were no Protestants.

Testimony indicated that the subject property, known as 8231 Pulaski Highway, consists of 0.59 acres zoned M.L.-C.S.I., and is presently unimproved. Petitioner, who has owned the subject property for the past / years and the adjoining side and rear properties, is desirous of constructing a self-service, six bay car wash. Said facility will have accompanying coin-operated vacuum machines. Petitioner testified as to the surrounding commercial uses, including his heating and plumbing business which is operated to the south of the subject site. Testimony indicated that after discussions with Sherman Industries and numerous other companies who manufacture equipment similar to that proposed for use at this location, and based upon Petitioner's personal investigation of similar operations and knowledge of the vicinity, Petitioner firmly believes the the preposed will meet the requirements of Section 502.1 of the Ealtimore County Zoning Regulations (B.C.Z.R.) and will not result in any detriment to the health, safety or general welfare of the community.

Mr. Raphel testified as to the surrounding uses and indicated in his opinion the proposed use would meet the requirements of Sections 502.1 of the B.C.Z.R. Mr. Raphel stated that Petitioner's Exhibit 1 has been revised to respond to the requirements of the State Highway Administration as set forth in their comments dated June 14, 1989. Further, Mr. Raphel testified the proposed project would be in compliance with all other Zoning Plans Advisory Committee comments, including but not !imited to that of the Developers Engineering Division of the Bureau of Engineering, and the Office of Planning. Mr. Raphel testified that all surrounding properties are zoned commercial and used for commercial purposes except the adjoining former gas station property which is zoned commercial but may be recently occupied for residential use. Petitioner argued the 24-hour use proposed is appropriate in light of the surrounding commercial uses and will not result in any detriment to the public health, safety or general

It is clear that the B.C.Z.R. permits the use proposed in an M.L.-C.S.I zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any ad-

434

OFFICE: 825-3908

verse impact allive and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schooltz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the speci ._ exception should be granted with certain restrictions as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the special exception should be granted.

THEREFORE, IT IS PROBLED by the Deputy Zoning Commissioner for Baltimore County this Worlday of July, 1989 that the Petition for Special Exception to permit a car wash on the subject property in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief

> 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original

> Prior to the issuance of any permits, Petitioner shall obtain CRG approval and/or a waiver of CRG requirements.

> > - 3-

graph, extraction with a Eury postation southwest Paul Committee Companies and the green training Faltumere County intolling encambers of the first of the Combute a note that any last of that will red in the public mount of way of its an interest and a the projectly canonic.

(4) Appendix the the assumption of any permitty Fetal Core. schall cheain the approval of the Legartrent of 14 ... Works and must comply at all times with a dilin when " oregularements, including, but not limited to, one of he ling Plans Advisory Committee comments cutritted by sectors W. Bowling, Chief of the levelspers Engineering Division, dated May 11, 1989, attached teret, and 7 80 a part hereof.

5) Through the construction phase and during the like of the property as a car wash, Petitleter state ourself with all foun y regulations, including, but not claired to, those of the Health Department, the Department of Environmental Protection and Resource Management, and the Department of Public Works.

(6) Petitioner shall submit a copy of the revised plat dated March 2, 1989 which has been approved and signed by the State Highway Administration.

7) Prior to the issuance of any permits, Potitioner shall submit written documentation from the manufacturer verifying the following:

1) Model number of equipment.

Rated highest capacity per bay per hour.

Said evidence shall be incorporated into a revised site plan with all other commercial check list information required by Zoning prior to the issuance of any permits. If the manufacturer's rated capacity exceeds that provided on the site plan identified as Petitioner's Exhibit 1, Petitioner must be able to meet all Baltimore County stacking regulations and/or the relief granted herein shall be rescinded.

8) If said use should be abandoned and/or vacated for six (6) months or more, setitioner and/or the then property owner shall be required to raze the improvements from the subject site.

> ANN M. NASTAROWICZ Deputy Coming Commissioner for Baltimore County

AMN:bis

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

Zaning Commissioner

July 25, 1989

Paul J. Feeley, Esquire 211 Courtland Avenue Towson, Maryland 21204

RE: PETITION FOR SPECIAL EXCEPTION SE/S Pulaski Highway, Corner of SW/S Hanzlick Avenue (8231 Pulaski Highway) 15th Election District - 7th Councilmanic District John F. Fischer - Petitioner Case No. 89-531-X

Dear Mr. Feeley:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted in accordance with the attached Order-

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

> Very truly yours, 1 min M Nontenue

ANN M. NASTAROWICZ Deputy Zoning Commissioner for Baltimore County

Dennis F. Rasmussen

cc: People's Counsel

File

AMN:bjs

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 89-531-XThe undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached here to and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a Car Wash. Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County. I We do solemnly declare and affirm, urder the penalties of perjury, that I we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser: Legal Owner(s): John F. Fischer E. D. _____ (Type or Print Name) (Type or Print Name) DATE 5-8-3 Signature 1F 1000 ______ Address (Type or Print Name) ____ City and State Signature Attorney for Petitioner: Paul I. Feeley 8229 Pulaski Highway 682-6900 (Type of Print Name) Baltimore, Maryland 21237 City and State 211 Courtland Avenue Name, address and phone number of legal owner, contract purchaser or representative to be contacted Towson, Maryland 21204 City and State Attorney's Telephone No.: 823-2044 ORDEBED By The Zoning Commissioner of Baltimore County, this 26 ___, 19&___, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106. County Office Building in Towson, Baltimore

PETITION FOR SPECIAL EXCEPTION

RESIDENCE: 771-4592

Registered Professional Lana Surveyors 205 COURTLAND AVENUE TOWSON, MARYLAND 21204

DESCRIPTION TO ACCOMPANY SPECIAL EXCEPTION 8231 PULASKI HIGHNAY

E. F. RAPHEL & ASSOCIATES

March 2, 1989

Beginning at the intersection formed by the Southeast side of Pulaski Highway and the Southwest side of Hanzlick Avenue running thence on the Southwest side of Hanzlick Avenue S 310 49' 25" W 149.22', thence S 580 14' 35" W 181.00', thence N 31° 49' 17" W 149.62' to Pulaski Highway, thence on Southeast side of Pulaski Highway 181.00' to the place of beginning.

Containing .59 Acres, more or less. Being known as #8231 Pulaski Highway.

> E. F. Raphel Registered Professional Land Surveyor

BALLIMURE GOUNTY, MARRIANCE

INTER-CHIEF CORRESPONDENT

TO: J. Robert Haines PAIL: Jane 111. 1984 lomina Commissioner

TROM: Put Reller, Deputy Director Diffice of Planning and Coning SUBJECT: ZONING ADVISORY COMMITTEE COMMENTS

Case No. 89-531-A Item No. 434

Re: John L. Fischer

The Petitioner requesty a special exception for a car with that process to this remest, staff offers the following comments:

A CRG most irre or written will be recorrect by the reservoir set of Section The attacked landscate like a side subspace to the approximations and the final ranks are limit

This office has no dear the period of the property of the period of the communities, should be lighted.

A conditioned that are the collection in a collection of its Stance of any furlding remait in Aug to the 1411 of the control of Handscape plan indicating that any parts and one one one of realist that I was chall be winterposted to the original and a

Similar to the property

Z.C.O.-No. 1 ECCHATED LENGTH OF HEARING (1/2HR) AVAILABLE FOR HEARING OTHER ____

89-531-X

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this 26th day of April , 1989.

> J. Robert Haines VZONING COMMISSIONER

THE P. P. CONT Petitioner Patitioner's Provide Techny Attorney

James P. Dyer Chairman, Zoning Plans Advisory Committee

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

14to: 6.9.89

Mr. John f. Fischer 8229 Pulaski Highway Baltimore, Maryland 21237

Re: Petition for Special Exception CASE NUMBER: 89-531-X SE/S Pulaski Highway, corner SW/S Hanzlick Avenue 8231 Pulaski Highway 15th Eléction District - 7th Councilmanic Petitioner(s): John F. Fischer HEARING SCHEDULED: FRIDAY, JUNE 30, 1989 at 11:00 a.m.

Flease be advised that \$87.43 is due for advertising and posting of the above referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the time it is posted by this office unit) the day of the hearing.

THIS FEE MUST BE PAID AND THE ZONING SIGN & FOST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED. Please make your check payable to Baltimore County, Maryland and bring it along with the sign and

post set(s) to the Zoning Office, County Office Building, Room III, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin. 🖫 will be an additional

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION M SCELLANEOUS CASH RECEIPT AMOUNT_\$ 8743

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.

Department of State Roads Commission Bureau of Fire Prevention Health Department Project Planning Building Department Board of Education Zoning Administration Industrial

Paul J. Feeley, Esquire 211 Courtland Avenue Towson, MD 21204

RE: Item No. 434, Case No. 89-531-X Petitioner: John F. Fischer Petition for Special Exception

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

June 8, 1989

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer / jac Zoning Plans Advisory Committee

Enclosures

cc: Mr. John F. Fischer 8229 Pulaski Hwy Baltimore, MD 21237 RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER Hanzlick Ave. (8231 Pulaski Hwy.), 15th Election District; 7th Councilmanic District

OF BALTIMORE COUNTY

JOHN F. FISCHER, Petitioner : Case No. 89-531-X

ENTRY OF APPEARANCE

::::::

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

> Lyllis Cole Freduca Phyllis Cole Friedman People's Counsel for Baltimore County Max Zumenna Peter Max Zimmerman Deputy People's Counsel Room 304, County Office Building Towson, Maryland 21204 887-2188

I HEREBY CERTIFY that on this 23rd day of May, 1989, a copy of the foregoing Entry of Appearance was mailed to Paul J. Feeley, Esquire, 211 Courtland Ave., Towson, MD 21204, Attorney for Petitioner.

Baltimore County Department of Public Works Bureau of Traffic Engineering Courts Building, Suite 405 Towson, Maryland 21204 (301) 887-3554

April 25, 1989

Dennis F. Rasmussen

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, MD 21204

Dear Mr. Haines

The Bureau of Traffic Engineering has no comments for items number 424, 425, 426, 427, 428, 429, 430, 431, 432, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 445, 447, and 448.

Very truly yours,

Michael S. Flanigan Traffic Engineer Assoc. II

MSF/lab

ZONING OFFICE

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY 29-331- X

District 27/1

Posted for: Special Exception

Petitioner: July 1 fisher

Location of property: St S Poles K. Huy, con Handling 11/10

East Fully 1 frag.

Location of Signs: 10 cincy 17 Josse from y Hone half the following 10 for your form of way.

Remarks: Date of return: 6/10/89

CERTIFIC TE OF PUBLICATION

Dundalk Eagle

June 1,

Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 NOTICE OF HEARING The Zoning Commissioner of Balt, more County, by authority of the Zoning Act & Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, lo-cated at 111 W. Chesapeake Avenue in Towson, Maryland as follows:
Petition for Special Exception
CASE NUMBER: 89-531-X SEIS Pulaski Highway, corner SWIS Hanzlick Avenue 8231 Pulaski Highway 15th Election District 7th Councilmanic District Petitioner(s): John F. Fischer
HEARING SCHEDULED: FRIDAY,
JUNE 30, 1989 at 11:00 a.m.
Special Exception: A Can Winch.
In the event that this Petition is granted, a building permit may be is-sued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a

stay of the issuance of said permit during this period for good cause shown. Such request must be in writ-

ing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES

Special Exception: A Car

Wash. In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

Zoning Commissioner of Baltimore County

4 N. Center Place P. O. Box 8936 Dundalk, Md. 21222

THIS IS TO CERTIFY, that the annexed advertisement of J. Robert Haines in the matter of Zoning Hrgs. Case 89-531-X - P.O. #12616 - Req. #M30928 - 70 lines & ³⁵was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week 1989; that is to say, 2nd **day of** June the same was inserted in the issues of June 1, 1989

> Kimbel Publication, Inc. per Publisher.

NOTICE OF HEARING The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the Petition for Special Exception
Case number: 89-531-X
SE/S Pulaski Highway, corner SW/S Hanzlick Avenue
8231 Pulaski Highway
15th Election District
7th Councilmanic
Petitioner(s):
John F. Fischer
Hearing Date: Friday,
June 30, 1989 at 11:00 a.m.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 19 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ____ successive

J. ROBERT HAINES
Zoning Commissioner of
Bartimore Cour

5/20 June 1.

5.2 Le Olman Publisher

Dear Mr. Haines:

After reviewing the submittal of a Special Exception for a car wash, we have the following comment.

The proposed 35' entrance must be moved 5' to the east to provide a 5' tangent section from the western property line. Also, concrete curb and gutter along Fulaski Highway must be constructed 15' from the edge of the travelled roadway. This

dimension must be shown on the plan. The radii at the intersection with Hanzlick Avenue must be

30' and labeled on the plan. If you have any questions, please contact Larry Brocato at 333-1350.

Very truly yours,

Creston J. Mills, Jr., Chief Engineering Access Permits Division

cc: E.F. Raphel & Assoc. Mr. J. Ogle

> My telephone number is (301) Teletypewriter for impaired Hearing or Speech
> 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toli Free
> 707 North Calvert St., Baltimore, Maryland 21203-0717

Baltimore County Fire Department 800 York Road Towson, Maryland 21204-2586 (301) 887-4500 Paul H. Reincke

> J. Robert Haines Zoning Commissioner Office of Planning and Zoni Baltimore County Office Building Towson, MD 21204



RE: Property Owner: John F. Fischer

Location: SE/S Pulaski Highway, corner SW/S Hanzlick Avenue

Item No.: 434

Zoning Agenda: April 25, 1989

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: City 1 Telly 4-35-89 Approved Fire Prevention Eureau Special Inspection Division

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Zoning Advisory Committee TO c/o Carl Richards May 11, 1989

FROM Robert W. Bowling, P.E.

SUBJECT Item #434 PROPERTY OWNER: John F. Fischer

SE/S Pulaski Highway, corner SW/S Hanzlick Avenue

15th Election District District:

The Zoning Plan for the subject item has been reviewed by the Developers Engineering Division and we comment as follows:

GENERAL COMMENTS:

All private contracts for construction of storm drains and roads intended for public title and maintenance must be let under a contract form, proposal and attachments adopted by the Baltimore County Department of Public Works. The Developer has the option of placing the storm drains under a public contract.

All construction drawings and construction for public use shall conform with Baltimore County Department of Public Works Design Standards and Standard Specifications and Details for Construction.

The responsibilities of the Developer involving public improvements shall include the Inspection Fees, Burden and Fringe Costs incurred. Currently these charges are 3 times payroll for Metropolitan District Projects and 2 times payroll for the Capital Improvement Fund.

All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the Standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

In accordance with Bill No. 56-82, dredging, filling or construction in any wetland is prohibited.

Any manmade embankment over 10 feet vertically shall be designed and/or approved by a soils engineer. The following note is to be placed on the sediment control plans and grading plans before approval will be given:

"All manmade embankments have been designed and/or certified for stability by a soils engineer."

8231 Pulaski Highw 🔩 May 11, 1989

GENERAL COMMENTS: (Con't)

The Developer shall be responsible for damages to the county's facilities, such as water meters, manholes, curbs and gitters and inlets within his subdivision. Occupancy Fermits will be withheld intil such damages have been corrected.

The Developer's Engineer shall investigate the need and obtain the necessary permits for the facilities serving this site that may require a "Corps of Engineer's Permit", a "Water Resources Permit", a "Water Quality Certification", and any other Federal or State Permits. These facilities cannot be sent to contract until such permits have been received.

The Developer shall not allow any cable television cables to be installed in this subdivision without the required County permits being obtained. Baltimore County will not assume any rights-of-way, easements, or maintenance of any public improvements, where such cables have been installed without a permit until the cables are satisfactorily located.

Hanzlick Avenue is an existing load which shall ultimately be improved as a 40-foot street cross section on a 60-foot right-of-way.

The Developer's responsibilities along the existing road frontage of the subdivision shall be as follows:

a. The submission of detailed construction drawings to extend a minimum distance of 200 feet beyond the limits of the subdivision or as may be required to establish line and grade.

b. The submission of full cross-sections is deemed necessary for design and/or construction purposes. The sections are to be taken at 25-foot intervals and are to be shown on standard cross-section paper at 1" = 5' horizontal to 1" = 5' vertical scale.

c. The preparation of the right-of-way plat for, and the dedication of any widening and slope easements at no cost to the County.

d. The preparation of the right-of-way plats for any offsite road rights-of-way required to make the necessary improvements. Baltimore County will attempt to acquire the right-of-way at the Developer's expense.

e. The grading of the widening and the existing road to the established grade. Where adjacent properties are adversely affected by the improvements, the Developer shall be financially responsible for the necessary repairs to these properties.

f. The relocation of any utilities or poles as required by the road

8231 Pulaski Highwa May 11, 1989

HIGHWAY COMMENTS: (Con't)

g. The construction of combination curb and gutter in its ultimate location and a maximum of 28.5 feet of paving adjacent thereto along the frontage of the property. The paving thickness shall conform with Baltimore County Standards.

It shall be the responsibility of the Developer's engineer to clarify all rights-of-way within the property and to initiate such action that may be necessary to abandon, widen or extend said rights-of-way. The Developer shall be responsible for the submission of all necessary plats and for all costs of acquisition and/or abandonment of these rights-of-way.

The entrance locations are subject to approval by the Bureau of Traffic Engineering.

Entrances shall be a minimum of 24 feet and a maximum of 35 feet wide, shall have 10-foot minimum radii curb returns, shall be located a minimum of 15 feet from any property line, and shall be constructed in accordance with Baltimore County Standards (Details R-32, 1977 Edition), as the Developer's total responsibility.

In accordance with Bill No. 32-72 street lights are required in all subdivisions. The Developer will be responsible for the full costs of installation of the cable, Poles and fixtures. The County will assume the cost of the power after installation.

Ramps shall be provided for physically handicapped persons at all street intersections.

Sidewalks are required adjacent to the public roads serving this site, including State roads as applicable. The welks shall be 5 feet wide and shall be installed to conform with Baltimore County Standards, which places the back edge of the sidewalk 2 feet off the property line, or the adjacent unencumbered area.

The Developer shall be responsible for construction stake-out of all highway improvements required in connection with this site and all stake-outs shall be in accordance with Baltimore County Standards.

It shall be the Developer's responsibility to have his engineer set property line control stakes on the points of curvature and points of tangency and on adjacent rights-of-way along proposed roads to be used as control for the stake-out of utilities.

STORM DRAINS AND SEDIMENT CONTROL COMMENTS:

The Developer is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall. The Developer's cost responsibilities include the acquiring of easements and rights-of-way - both onsite and offsite - and the deeding in fee of said rights-of-way to the County. Preparation of all construction, rights-of-way and easement drawings,

8231 Pulaski Highwa Page 4 May 11, 1989

STORM DRAINS AND SEDIMENT CONTROL COMMENTS: (Con't)

engineering and surveys, and payment of all actual construction costs including the County overhead both within and outside the development, are also the responsibilities of the Developer.

Onsite drainage facilities scrving only areas within the site are considered private. Therefore, construction and maintenance shall be the Developer's responsibility. However, a draininge area map, scale 1" = 200', including all facilities and drainage areas involved, shall be shown on a plan and submitted to Baltimore County for review.

The Developer must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm water management drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building permits.

In accordance with Baltimore County Council Grading, Sediment Control and Forest Management Ordinance (Bill No. 33-88), a grading plan shall be approved and a Performance Bond posted prior to issuance of a grading permit. A sediment control plan is required. The number of square feet of land disturbed shall be indicated on the sediment control drawing.

The Developer shall be responsible to stabilize the sidewalk areas and ampporting slopes on all road rights-of-way following completion of the initial grading of the boxed-out subgrade. The stabilization shall be accomplished within the nearest period of cotimum seeding as established in the Baltimore County Sediment Control Manual. Minimum acceptable stabilization measures will be as specified in the Baltimore County Sediment Control Manual under "Critical Area Stabilization (With Semi-Permanent Seedings)".

Failure by the Developer to accomplish the stabilization as aforementioned will result in the termination of all processing phases of this development.

WATER AND SANITARY SEWER COMMENTS:

Permission to obtain a metered connection from the existing main may be obtained from the Department of Permits and Licenses.

Permission to connect to, or (to connect additional sanitary fixtures to) the existing public sanitary sewer may be obtained from the Department of Permits and Licenses.

8231 Pulaski Highwa May 11, 1989

WATER AND SANITARY SEVER COMMENTS: (Con't)

The total Water and/or Sanitary Sewer System Connection Charge is determined, and payable, upon application for the Plumbing Permit. This Charge is in addition to the normal front foot assessment and permit charges.

Fire hydrant spacing and location are subject to review and approval by the Fire Protection Section of the Fire Department. This property is subject to Water and/or Sewer System Connection

Charges based on the size of water meters utilized in accordance with current County Policy.

The Developer shall contact Mr. Carlyle Brown of the Bureau of Public Services on 887-3321 for information on obtaining water service where the meter required is 3" or less, or the Developers Engineering Division on 887-3751 for water service requiring meters 4" and larger.

This Plan may be approved subject to compliance with all of the above

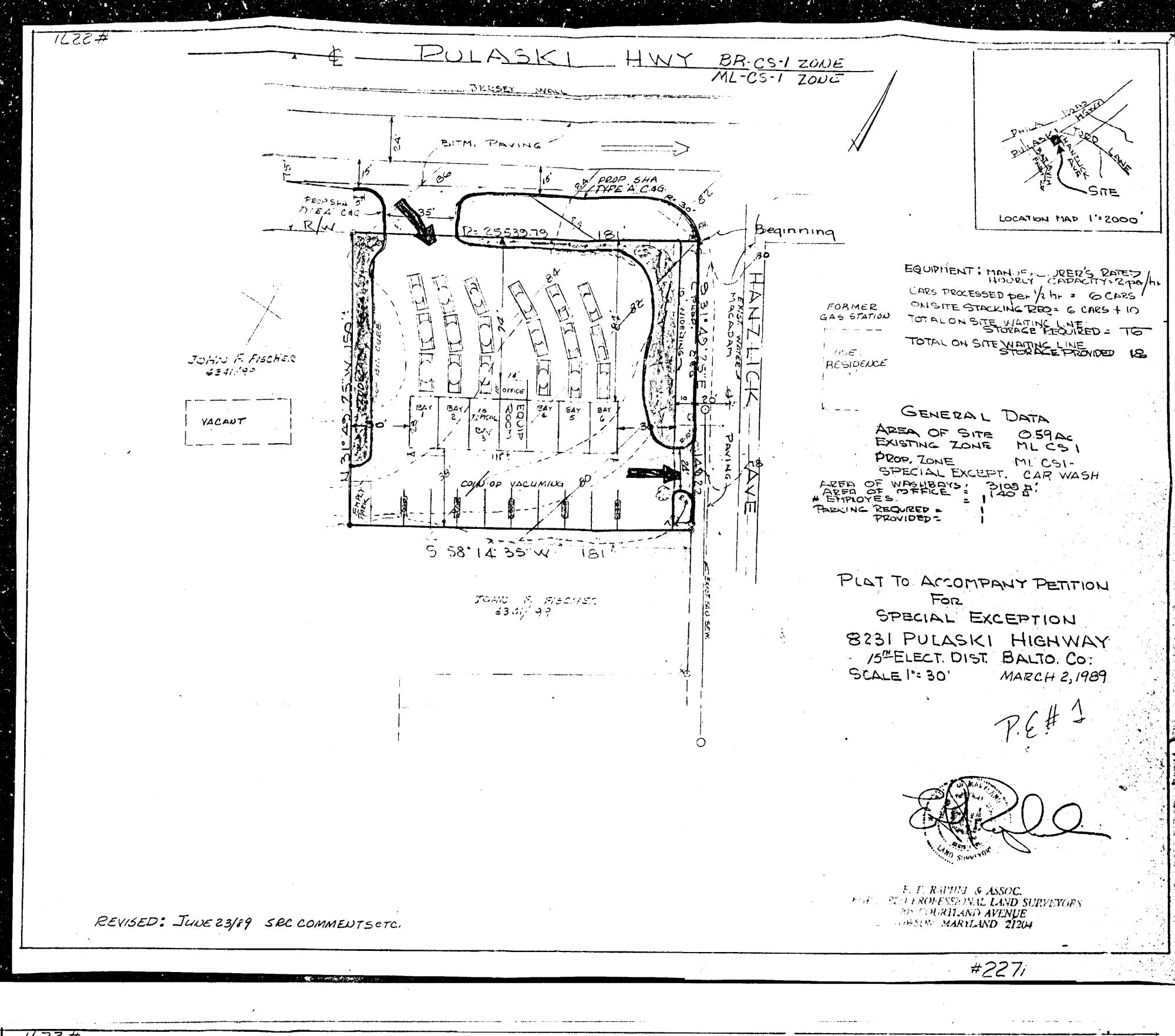
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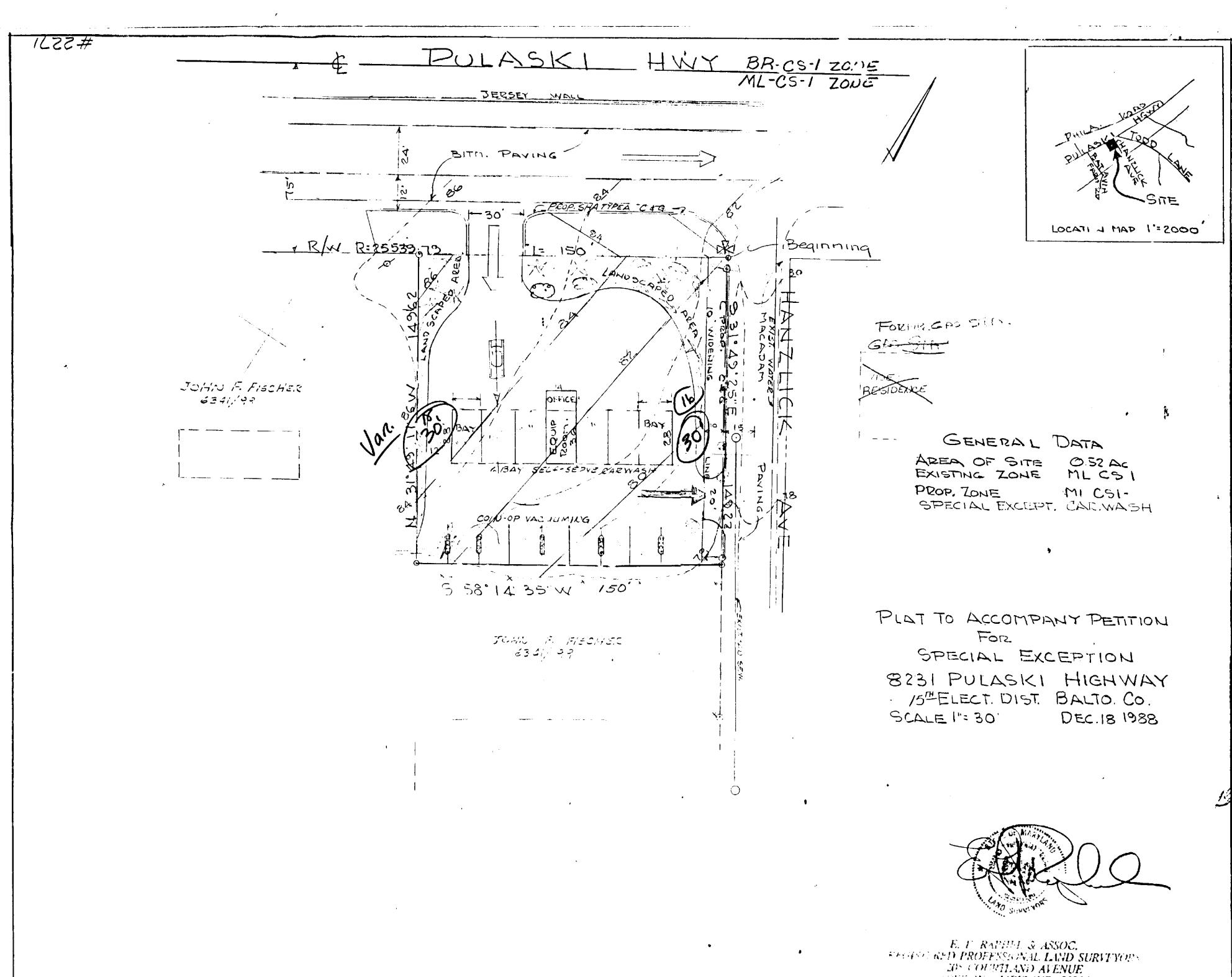
BIGHED: ROBERT CL. SOMERIS

Robert W. Bowling, P.E., Chief Developers Engineering Division

cc: File

8231PULA/TXTCOMM2





TOWNOY, MARYLAND 21204